

REMARKS

Claim 15 has been amended to recite that the rotor is mounted separately from (independently of) the substrate holder 18 as taught at page 26, lines 6-13.

New claims 33 and 34 limit the claimed invention to embodiments wherein the substrate holder is fixed as taught at page 44, line 17.

A. The Rejection of Claims 15 and 21-24 For Obviousness Over Walton et al

As taught by Walton et al at column 2, lines 58 and 59, shaft 24 has an agitator 32 "fixed at its upper end." As taught at column 2, lines 48-55, shaft is directly driven "such that angular agitation or oscillation of the shaft 24 about its axis can be provided over a significant arc without moving the disc 32." Thus, the rotary shaft 24 rotates back and forth within a fixed arc range, e.g. 140 deg. (Col. 3, line 13) "without moving the disc 32." The disc 22 is rotated only when a different treatment fluid is to be used as described at col. 3, lines 33 to 52, in which case the 24 teeth 60 on the shaft 24 engage teeth 62 shaft 40, whereby rotation of shaft 24 rotates shaft 40 and disc 22 to bring port 26 in disc 22 into registration with a different, selected port 20 (col.3, lines 42-45). Thus, the disc 22 cannot be rotatable "around" agitator 32 as would be required in order to read Walton et al on the claims here . In Walton et al disc 22 can be rotated ONLY with agitator 32, not "around" the agitator 32 and not "separately" from the agitator 32. The Examiner has presented no reason why it would not have been obvious to provide for the disc 22 to be rotatable around the agitator 32 and, therefore, has not stated a *prima facie* case for obviousness.

New Claims 33 and 34

If agitator 32 were to be "fixed" it would no longer be an agitator. As stated in MPEP §2143.01VI, "the proposed modification cannot change the principle of operation of a reference."

B. The Rejection of Claims 16 and 17 Over Walton et al in View of Chen

Chen is cited merely for a teaching of multiple purge gas discharge ports and

does not cure the deficiencies of Walton et al noted above.

C. The Rejection of Claims 18-20 and 25 Over Walton et al in View of Suzuki et al

This rejection is traversed for the reasons given in section A above and for the further reasons that follow.

It is respectfully that it would not have been obvious to adapt Walton et al to "float" the valve disc 22 of Walton et al because to do so would break the seal between ports 20 and 26. Walton et al repeatedly emphasize the importance of maintaining that seal. See column 2, lines 15-16 and lines 26-33, and column 4, lines 10-19.

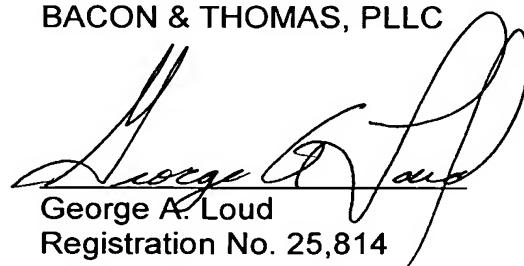
New Claim 32

Note that Walton neither suggests any conical configuration nor provides any configuration which would allow a "floating gas" to be introduced between sidewalls of the disc 22 and vessel 10.

In conclusion, it is respectfully requested that the Examiner reconsider the rejections of record in light of the present amendments and foregoing comments.

Respectfully submitted,

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